

**AFFIDAVIT OF NON-PRODUCTION  
AND NON-PAYMENT OF BONUS AND RENTALS**

STATE OF West Virginia

COUNTY OF Marshall TO-WIT:

Richard S. Reineke and Charlene R Reineke, husband and wife, the undersigned, who after being duly sworn deposes and say:

1. That the above named are the owner(s) of all of the oil, gas in or under said lands. Described as follow, 109.212 acres, more or less in Sand Hill District, Marshall County, West Virginia.
2. That the Affiant further states that affiant is advised that the Records in the Recorder's Office indicate that the above described premises were leased for oil and gas purposes as follows:
  1. Oil and Gas Lease from Edward C. Miller and Anna Miller to James Wilson, dated 4/16/1919 and recorded in Deed Book 160, Page 101. Term is 10 years and so much longer as oil and gas is produced in paying quantities.
  2. Oil and Gas Lease from Edward C Miller and A.F. Miller to Manufacturer's Light and Heat Company, dated 3/21/1929 and recorded in Deed Book 196, Page 173. Term is 10 years and so much longer as oil and gas is produced in paying quantities.
  3. Oil and Gas Lease from Emery E. Swecker and Nora J. Swecker to Linton Robertson, dated 9/22/1967 and recorded in Deed Book 395, Page 428. Term is 10 years and so much longer as oil and gas is produced in paying quantities.
  4. Oil and Gas Lease from Emery E. Swecker and Nora J. Swecker to Columbia Gas Transmission Corporation, dated 1/24/1972 and recorded in Deed Book 460, Page 83. Term is 10 years and so much longer as oil and gas is produced in paying quantities.

Affiant further states that Affiant has received no delay rentals or royalties under said Lease(s) and that Affiant would refuse to accept payment of delay rentals or royalties under said Lease(s) if they were offered.

3. That the Affiant further states that there are no producing wells on the land in the Lease(s) as above referenced to and that said Lease(s) are null and void.

Further affiant saith not.

DATED November 9, 2010.

**WITNESS:** Jan Pest  
 MARSHALL County 11:21:16 AM  
 Instrument No 1297259  
 Date Recorded 12/21/2010  
 Witness Document Type O&G  
 Pages Recorded 1  
 Book-Page 718-274  
 Witness Recording Fee \$5.00  
 Additional \$6.00

**AFFIANT:**

Richard S. Reineke  
 Charlene R. Reineke

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF West Virginia )

) SS:

COUNTY OF Marshall)

On this, the 9th day of November 2010, before me, the undersigned officer, personally appeared Richard S. Reineke and Charlene R. Reineke, known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires April 14, 2018  
 Notary Public  
 Name/Notary Public (print) Gerald Ernest Poole

Recorder: Return to Chesapeake Appalachia, L.L.C., Land Dept., P.O. Box 18496, Oklahoma City, OK 73154-0496.

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 9<sup>th</sup> day of November, 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 21<sup>st</sup> day of December, 2010 at 11:21 o'clock A.M.

TESTE: Jan Pest Clerk.